Apparently, leftist religious leaders consider their activities in these fields as acting out their Christian faith. For example, during 1965 the Reverend J. Quinter Miller, associate general secretary of the NCC at that time, told students at the Vanderbilt University Divinity School that the Council engages in these issues because "we are under orders from Christ to do so." (*Tulsa Daily World,* April 23, 1965)

In a December, 1965, statement issued by the General Board of the National Council of Churches, its leaders contended that Christians should support its suicidal position on Vietnam because they "have a loyalty to God which must transcend every other loyalty."

The Double Standard

There is absolutely no justification for the government's using taxpayer money to harass and cripple those of us on the other side of these vital issues through taking away our tax exemption while ignoring the much broader and deeper activities of leftist groups. This amounts to government interference on one side of religious controversy between opposing groups.

In short, these leftist forces are far richer and have far more power than do those opposing them. The drive against our tax exemption and that of any other religious organization on the anti-Communist Conservative side amounts to swatting at a mosquito on the bear's back instead of paying attention to the bear which is wielding such enormous influence in Washington, D.C. That this is the case was noted in an article in the May 21, 1965, issue of *Christianity Today*: "... Encouraged by the decisive role they are credited with playing in the civil rights bill lobby, many churchmen now are ready to step up their activities in Washington. The church lobby seems to be expanding substantially, and some congressmen and other government officials are reluctantly obliged to take it more seriously.

"There are now more than a dozen church-related agencies with offices in Washington that are lobbying or information liaison centers. ... the agencies frequently reflect a solid front on specific issues. Thus Washington now finds itself with a religious coalition that represents

collectively an ecclesiastical lobby of growing pressure and influence. Those who view this development with concern are often critical of its chief characteristic: a leftist tilt. ... Although there has been much public concern over the impact of the religious and theological right wing, none of the religious groups identified with this viewpoint has Washington offices. ..."

The United States of America is in real trouble when the ruling powers in our government operate under a double standard in which they bring their efforts to bear against organizations which oppose the goals of communism and socialism but ignore and even encourage activities of religious groups promoting these goals, the achievement of which would eventually result in the establishment of a Socialist government and later a Communist dictatorship in our nation.

Your tax dollars have paid for this campaign against Christian Crusade and will pay for any subsequent efforts to reverse this decision in a higher court. The facts of this completely unfair double standard and the discriminatory tactics used against Christian Crusade should be made known to many Americans who are not presently aware that such injustices are being perpetrated by our government.

Write for your copy of Judge Allen E. Barrow's complete decision, without deletions or editing, entitled, CHRISTIAN CRUSADE vs. INTERNAL REVENUE SERVICE – A LANDMARK DECISION. Send 50c for each copy to Christian Crusade, Box 977, Tulsa, Oklahoma 74102.

CHRISTIAN CRUSADE

vs.

INTERNAL REVENUE SERVICE

A Modern-Day David and Goliath Battle

CHRISTIAN CRUSADE PUBLICATIONS

On June 24 the decision was rendered by the United States District Court, Northern District of Oklahoma, in Christian Crusade's tax exemption case. In part, *The Tulsa Tribune* of that date reported: ". . . U.S. Dist. Judge Allen E. Barrow ruled that the Internal Revenue Service had apparently singled out the Tulsa-based church headed by the Rev. Billy James Hargis to make it 'an example.'

"The judgment said the IRS, in its collections of taxes from the Hargis group, violated both the First and Fifth Amendments of the Constitution. 'The First Amendment prohibits this defendant (the United States) and this civil court from designating what religion is or is not and from defining the scope of a religion and thereby excluding from the enjoyment of tax-exempt status those organizations which do not meet that definition,' the ruling stated.

"In commenting on the violation of the Fifth Amendment, the judge wrote: 'The court concludes as a matter of law that this discrimination and unequal treatment of the plaintiff by the defendant are of such nature and scope as to constitute violation of the due process clause of the Fifth Amendment.' Judge Barrow's decision was regarded by some legal observers to be a 'landmark' case in defining the tax status of a religious organization. . . ."

Basis Of Christian Crusade's Activities

In order to review this case, let us first go back to the basis of Christian Crusade's activities as spelled out in the Amended Certificate of Incorporation dated September 5, 1952: "The purposes for which this corporation is formed are to promote the Articles of Faith set forth in the Bylaws by establishing and maintaining weekly religious radio and television broadcasts, a national religious magazine and other religious publications, religious educational institutions, evangelistic campaigns, and meetings for the promotion of the social and spiritual welfare of the community, state and nation. . . ."

In our organization's Articles of Faith, we read the following: ". . . We realize atheistic world forces seek the destruction and overthrow of all the religions of the World, including particularly that founded upon the teachings of Jesus Christ. The same forces seek also the

destruction of all free governments, in which the lives and property of the people are protected by civil, moral and spiritual law.

"We associate ourselves together to educate and proclaim the essential truths of Christianity, and the doctrine: Jesus Christ is the Hope of the World and America is God's Greatest Nation under the Living Son. . . .

"We believe in constitutional government, whereby religious as well as other freedoms of mankind are preserved and protected. We believe in the fundamentals of New Testament Christianity, and we propose to promulgate the eternal truths thereof at all costs."

The June 24 court decision stated: "The preachings and teachings of the organization have been addressed to that theology continually and uninterruptedly since the date of incorporation."

IRS Agents Agreed

Apparently, representatives of the Internal Revenue Service also agreed repeatedly that this was the case. A brief history of the facts relating to this follows.

On May 22, 1952, Christian Echoes National Ministry, Inc., generally known as Christian Crusade, filed an application for income tax exemption under section 101(6) of the 1939 Internal Revenue Code, now section 501(c)(3) of the Internal Revenue Code of 1954. In the process of applying for this exemption, a number of representative publications were turned over to the IRS, including the complete text of a sermon by Dr. Hargis entitled "They Cast Four Anchors Out of the Stern." This sermon urged that in order to save the country four anchors were needed: patriotism, gratitude, faith, and answered prayer.

On March 12, 1953, the IRS issued its letter of exemption, stating that Christian Crusade was "organized and operated exclusively for religious and educational purposes [and] exempt from Federal income tax and qualified for charitable contributions" under the appropriate provisions of the IRS Code.

During April, 1962, the National Office of the Internal Revenue Service ordered an extensive examination of Christian Crusade's activities. Revenue agent John S. Donovan of the Tulsa office was assigned to the investigation. He spent 92 hours reviewing the

1959, 1960 and 1961 operations and prepared a "No Change Report" on IRS Form 886-A. In his handwritten report, Mr. Donovan stated:

"From available information it appears that operations are for all practical purposes the same as when the exemption was granted to the organization. Information submitted with the application has been compared with that submitted with letter and except for volume there is the same basic purpose."

A few weeks later agent Donovan was directed to re-examine Christian Crusade. After this examination he once again, on November 27, 1962, filed a "No Change Report." He spent 151 hours on this re-examination and once again stated that present operations "are basically the same as when the exemption was granted by the National Office March 12, 1953," and concluded, "In view of the foregoing no change is recommended in the exempt status of Christian Echoes National Ministry, Inc., at this time."

The National Office of IRS then called for a third audit of Christian Crusade. This time agents John Donovan and Harry E. Riggs were sent into the field to make a further examination. A joint report, dated July 15, 1963, and signed by both revenue agents, stated in part: ". . . The organization has maintained the purposes as set forth above during the years under review. The organization has been operated exclusively for the teaching of faith in God and educating and informing the public on the dangers of Communism and Socialism. . . ."

National Office Increased Pressure

Then the IRS District Office in Oklahoma City apparently began to feel more pressure from the National Office. For example, Mr. Albert F. Schrempp, Chief of the Audit Division in the IRS District Office in Oklahoma City, on September 16, 1963, wrote a "memorandum for the file" in which he said: "Larry Stewart called today from the Regional [Dallas] Office and stated he has received a letter from the National Office indicating that there's even more particular interest in this case than has previously been evidenced – they [the National Office] are asking for copies of specific publications of Hargis and other information.

"I told him we had suspended any further action on

the case and would continue to suspend it until we receive the National Office letter he is sending to us. He asked that we suspend action . . . until we hear from him as to the line of approach the National Office wants us to take . . ."

The IRS National Office continued pressing the case and a further examination was made by agent Riggs. Once again he ruled in behalf of Christian Crusade and stated that it was continuing to operate under the purposes originally set forth.

Obviously, this still did not satisfy the National Office. On page 17 of Judge Barrow's decision, we read: "The National Office directed the District Office in Oklahoma City to make a request for 'technical advice' to the National Office under the provisions of Revenue Procedure 62-29 I.R.B. 1962-47, 18. The Assistant Commissioner (Compliance) in the Washington Office thereupon issued a memorandum dated September 5, 1963, to the District Office in Oklahoma City as to how to proceed since the investigation had reached a dead-end through the final reports of Agents Donovan and Riggs. The National Office itself issued directives that the Oklahoma City District Office make the formal request."

IRS Violated Its Own Procedures

The National Office prepared a written memorandum embodying a proposed letter to be sent from the Oklahoma District Office to Christian Crusade revoking our tax exemption. The details of the directives on this were revealed in the IRS files. The court decision quoted at length from these directives. Judge Barrow rightly concluded: "The above constitute directives and not technical advice. . . . The decision was . . . discriminatory and is evidence of denial of due process." This unprecedented government harassment culminated with the revocation of Christian Crusade's tax exemption and our subsequent appeal.

In all of this long, involved activity which consumed many a taxpayer-paid hour of Internal Revenue Service employees and officials, this agency actually violated its own procedure. The court decision disclosed that violation as follows:

". . . These procedures are established for the purpose of providing local IRS offices and their personnel with

consistent technical and professional advice on tax matters (Rev. Proc. 67-2, section 2.01). The National Office serves in this instance, however, only in an advisory capacity to the District Office, not an administrative one. The District Office retains the authority for final decision making. In plaintiff's case, however, the National Office preempted this authority and made the final decision itself. This decision was contrary to four previous conclusions reached by experienced investigating officials of the Tulsa Office of the Internal Revenue Service favorable to plaintiff."

The court decision further declared that "whatever may have been the intent of section 501(c)(3) of the Internal Revenue Code of 1954 when adopted, it has been applied against plaintiff in this case by the Internal Revenue Service as an oppressive tool."

Background Of The Case

At this point it might throw more light on the situation to go back into some of the historical background of this case against Christian Crusade. A tip-off to the forthcoming activity against anti-Communist Conservative organizations, including Christian Crusade, came in a 1963 book, *The Far Right*, written by two Liberals, Donald Janson and Bernard Eismann. The authors revealed that during the fall of 1961 the late Walter Reuther discussed the problem of anti-Communist Conservatives with Attorney General Robert Kennedy "and promised to write a memorandum for him." The authors continued: "That memo, a 24-page blueprint for action against the extremists, was submitted to the Justice Department on December 19, 1961. It had been prepared by Reuther's deputy, his brother Victor, who said in an accompanying note: 'We are hopeful that this memo may have some value to you in focusing attention upon possible Administration policies and programs to combat the Radical Right.' . . ."

Reuther classed this struggle against anti-Communist Conservatives as "a long-term affair." The memorandum called for deliberate Administration policies and programs which would eventually "reduce" anti-Communist conservatism to "its historic role of the impotent lunatic fringe." One of the steps recommended was "prompt revocation" of the tax-exempt status of organizations such as "Hargis' Christian Crusade." A

main purpose was to "scare off" the source of funds sustaining these Conservative organizations.

We have in our reprint of the text of the Reuther Memorandum a July, 1963, letter on official stationery and with the signature of an "Executive Assistant to the Attorney General" forwarding a copy of the Reuther Memorandum to a lady who preferred to remain anonymous. This documentation, in addition to the original revelation of the existence of this secret memorandum by left-Liberals who would certainly be friendly to that cause, leaves little or no doubt as to its authenticity.

It is important to remember that it was in April, 1962 – only a few months after the Reuther Memorandum was issued – that the IRS started its campaign against Christian Crusade's tax-exempt status.

The following appeared in the November 28, 1964, issue of the weekly newspaper *Human Events*: "Inside information from sources in the Internal Revenue Service is that Sen. J. W. Fulbright (D-Ark.) was instrumental in getting the IRS . . . to remove the tax-exempt status of evangelist Billy James Hargis' Christian Crusade. . . . Fulbright, of course, is the author of a famous memorandum, brought to light in 1961, which made an almost blanket indictment of all anti-Communist groups. The memo also stated: 'Fundamentally, it is believed that the American people have little, if any, need to be alerted to the menace of the cold war.' . . ." Thus it appears that people in high and influential positions were behind the drive to **destroy Billy James Hargis and Christian Crusade.**

Defining Religion

As indicated in the news item we quoted at the beginning of this article, the court decision emphatically declared that the government has no right to define religion. In addition, the decision stated: "Defendant, in describing and characterizing plaintiff's activities as political and non-religious, has in fact indicated a disagreement with the content and nature of what plaintiff has said and written. Defendant has thereby sponsored its own definitions of 'religion' and 'religious.' Such definitions by defendant are impermissible. Administrative definitions of the terms 'religion' and 'religious' are conspicuously, and for good reason, omitted from IRS Regulations. . . . The Court

having found as fact that plaintiff through its followers believes in the religious nature of its activities, neither defendant nor this Court may inquire into such activities and work product of plaintiff for the purpose of determining whether those activities claimed by plaintiff to be religious are religious or political and, if political, whether substantial, for the purpose of denying tax-exempt status to plaintiff. To make such an inquiry would first require this Court to define the terms 'religious' and 'political,' then separate plaintiff's activities into these two categories applying those labels thereto under definitions established by this Court. . . . The First Amendment to the United States Constitution clearly forbids civil courts from playing such a role. . . ."

The above point brings home a very important aspect of this entire IRS drive against Christian Crusade. Government officials cannot define religion without ending up favoring some religious groups over others. While one of its agencies has carried on this campaign against Christian Crusade, government officials have actually encouraged similar activities by other religious groups. For example, former President Lyndon B. Johnson told a Liberal Methodist group: ". . . in this age the Church cannot afford to stand aside from the great problems of our times . . . Because if the preachers in this country step aside from politics and community life and leadership and social problems, then who steps in? If the good men of the Church have no business in these causes, who is left to do that business?" (Quoted by David Lawrence, *Manchester* (New Hampshire) *Union Leader*, October 3, 1966)

According to AP religion writer George Cornell, in the early 1960s the late President John F. Kennedy called in religious leaders to coordinate efforts in the civil rights movement. (*Tulsa Daily World*, April 2, 1971)

In the Christian Crusade case, Judge Barrow saw clearly the issue involved when the government gets into defining what is religion. In his decision we read: ". . . Plaintiff's battle against Communism, Socialism, and Political Liberalism, as those terms are defined by the organization, is based upon the belief that Communism, Socialism and Political Liberalism make direct attacks against the Christian faith espoused by the supporters of plaintiff and the Church as they conceive

it to be ordained of God."

Certainly if Presidents are to encourage activities relating to issues of the day by leftist religious leaders, anti-Communist Conservatives should be allowed to contend for the opposite viewpoint without being placed at the tremendous disadvantage of having their tax exemption removed for so doing.

Cause For Concern

There are many good reasons for anti-Communist Conservative Christians to be concerned over the threat of liberalism. For example, in the May-June, 1947, issue of *Partisan Review*, a Socialist publication, Arthur Schlesinger, Jr., wrote: "Official liberalism . . . dispensed with the absurd Christian myths of sin and damnation and believed that what shortcomings man might have were to be redeemed, not by Jesus on the cross, but by the benevolent unfolding of history. Tolerance, free inquiry, and technology, operating in the framework of human perfectibility, would in the end create a heaven on earth, a goal accounted much more sensible and wholesome than a heaven in heaven."

Of course, this "heaven on earth" is the socialistic society towards which we are moving ever closer and which anti-Communist Conservatives believe will evolve into the very opposite of a "heaven on earth." However, removing our tax exemption while ultra-left Liberal religious leaders are allowed to keep theirs would put us at a disadvantage in getting these facts to the people.

Leftists Much More Involved

Far-leftist religious leaders, such as those affiliated with the National Council of Churches, have been very deeply involved for many years in activities dealing with current issues. In fact, Judge Barrow's decision stated: "Active current involvement [in issues of the day] by numerous churches and religious organizations is revealed in the daily press."

The *Tulsa Daily World* of November 8, 1964, reported: "Religious leaders engaged in political action this year to an unprecedented degree. . . . Leaders of all three major faiths lobbied for this [civil rights] legislation – openly, actively and unashamedly. . . . Sen. Richard B. Russell, D-Ga., charged . . . that 'it was the preachers' who tipped the scales. . . ."

The Houston Post of March 6, 1965, related the following: "The churches, by every account, played a decisive role in the civil rights struggle in Congress. Vice President Hubert Humphrey, who was Democratic floor manager during the uphill fight, termed the churchmen involved in the fight for the bill 'the most important force at work.' . . . This is readily admitted by leaders of the powerful National Council of Churches, who played an important role in the effort.

"It is accepted that church groups applied the weight that tipped the balance for passage of the Civil Rights Act, and religious pressure killed the Becker Amendment on school prayers. . . ." This article quoted Dr. Eugene Carson Blake, a leading figure in the ecumenical movement as well as the National and World Councils of Churches, as bluntly admitting, "The church has entered politics."

In addition to civil rights legislation and the defeat of the Becker Amendment, leftist religious leaders have been very influential in other issues, such as Medicare, disarmament, immigration, etc. Church leaders have put enormous efforts into trying to force our nation to surrender to Communist demands in the Vietnam conflict. They have advocated recognition of Red China. They have been very active in election campaigns during the past decade, to the point of actually promoting specific candidates. In the *Tulsa Daily World* of August 1, 1970, Louis Cassels, UPI religious writer, accurately predicted: "Churchmen will play a more active role in this year's congressional elections than they have in any campaign since 1964."

On the other hand, Christian Crusade has *never* endorsed political candidates or lobbied for legislation in Washington. We have simply tried to inform people on the vital issues of the day which pose a threat to our nation and to our Christian faith.

The U.S. District Court decision in Tulsa took note of the fact that Christian Crusade "does not lobby in Washington." These ultra-left religious leaders, as we have seen, do lobby in Washington, but in spite of this fact, IRS officials actually accused Christian Crusade of advocating "its political viewpoint on a variety of topics."